

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**August 25, 2005**

DIVISION ONE

B175067      Title Trust Deed Service Company      (Certified for Publication)  
                 v.  
                 Pearson, et al.  
                 Billingslea, et al.

The judgments in favor of Heritage and Billingslea are reversed, and the cause is remanded to the trial court with directions (1) to vacate its order denying the Pearsons' motion for leave to amend their answer, (2) to enter a new order granting the motion for leave to amend and filing the amended answer, and (3) to thereafter proceed as appropriate to determine the validity of the Pearsons' homestead exemption and, if it is valid, the amount of the that exemption and the amounts, if any, available to satisfy Heritage's and Billingslea's liens. The parties are to pay their own costs of appeal.

Vogel (Miriam A.),

We concur:   Mallano, J., Acting P.J.  
                 Rothschild, J.

B179190      Shaw      (Not for Publication)  
                 v.  
                 Schulner

The judgment is affirmed. Schulner is awarded his costs of appeal.

Vogel (Miriam A.), J.

We concur:   Mallano, Acting P.J.  
                 Rothschild, J.

August 25, 2005 (Continued)

## DIVISION ONE (Continued)

[illegible]

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur:   Mallano, Acting P.J.  
                      Rothschild, J.

B179293 People (Not for Publication)  
v.  
Hack

The judgment is reversed and the cause is remanded to the trial court with directions (1) to determine, in an exercise of its discretion, which term to impose for the assault count and the firearm enhancement, and (2) to thereafter issue a corrected abstract of judgment and forward it to the Department of Corrections; in all other respects, the judgment is affirmed.

Vogel (Miriam A.), J.

We concur:   Mallano, Acting P.J.  
                      Rothschild, J.

B181582      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Joseph G. and Felisha F.

The order terminating parental rights is affirmed as to both appellants.

Rothschild, J.

We concur:   Mallano, Acting P.J.  
                      Vogel, J.

DIVISION TWO

[illegible]

The orders under review are modified with respect to appellant's conditions of probation, as follows: (1) he is not to knowingly associate with persons disapproved of by his parents, and (2) he must stay away from locations where persons he knows are drug users congregate. In all other respects, the orders under review are affirmed.

The clerk of the superior court is ordered to amend the minute order, as follows: (1) Condition No. 4 of appellant's probation should state that appellant is to notify the probation officer before he changes his address or schools. (2) Condition No. 9 should state that appellant is to attend a school program approved by the probation officer, and he is to maintain satisfactory grades, attendance, and citizenship. (The requirement that appellant report school absences was not required by the juvenile court, and that provision should be stricken.) (3) Condition No. 12 was not imposed, and the clerk should delete the check indicating its inclusion within the conditions of probation. (4) Condition No. 14, should be amended to provide as follows: He is not to stay away from his residence for more than 24 hours, and he is not to leave the State of California, except at times and places specifically permitted in advance by the probation officer. (5) Condition No. 15 should state that appellant may not knowingly associate with persons disapproved of by his parents. (6) The clerk of the superior court should strike the indication in the minute order that the juvenile court imposed the preprinted condition No. 16. (7) Condition No. 21 should be amended to provide that appellant must stay away from locations where persons he knows are drug users congregate. (8) Finally, condition No. 40 of probation should state that appellant may not knowingly ride in any stolen automobile.

Ashmann-Gerst, J.

We concur: Boren, P.J.  
Suzukawa, J. (Assigned)

DIVISION TWO (Continued)

B180311      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Darren H., et al.

The order terminating parental rights is affirmed.

Doi Todd, J.

We concur:    Boren, P.J.  
                    Ashmann-Gerst, J.

B178927      Rodriguez      (Not for Publication)  
v.  
Chow et al.

The judgment of the trial court is affirmed. Rodriguez is entitled to costs on appeal.

Ashmann-Gerst, J.

We concur:    Boren, P.J.  
                    Suzukawa, J. (Assigned)

B175608      People      (Not for Publication)  
v.  
Ranger Insurance Company

The summary judgment and the order of April 4, 2004 forfeiting bail are reversed. The trial court is directed to vacate the forfeiture and exonerate the undertaking.

Doi Todd, J.

We concur:    Boren, P.J.  
                    Ashmann-Gerst, J.

DIVISION TWO (Continued)

B173512      Renko et al.                      (Not for Publication)  
                 v.  
                 Northridge Care Center et al.

As to Dr. Dowds and NCC, the judgments as well as the orders sustaining the demurrer and granting judgment on the pleadings are reversed and the matter is remanded as to the first and ninth causes of action in the second amended complaint. In all other respects, the judgments are affirmed. Northridge Hospital, NMG, Longwood and the Friedmans are awarded their costs on appeal.

Doi Todd, J.

We concur:    Boren, P.J.  
                     Suzukawa, J. (Assigned)

B169140      People  
                 v.  
                 Medina

Filed order denying petition for rehearing. I would grant rehearing Ashmann-Gerst, J.

B171348      People  
                 v.  
                 Medina

Filed order certifying opinion for partial publication.

B181003      Los Angeles County, D.C.S.  
                 v.  
                 Stephanie S.

Filed order certifying opinion for publication.

### DIVISION THREE

B177363 People (Not for Publication)  
v.  
Sorto

The judgment of conviction is affirmed. The matter is remanded for a new sentencing hearing consistent with the views expressed in this opinion.

Croskey, Acting P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

B183666 Yolanda S. (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Los Angeles County Department of Children and Family Services, r.p.i.)

The dependency court's June 6, 2005 order terminating Mother's reunification services and setting this case for a section 366.26 hearing is affirmed.

Croskey, J.

We concur: Klein, P.J.  
Aldrich, J.

B179593      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Andrew H.

The judgment is affirmed.

Croskey, Acting P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

DIVISION THREE (Continued)

B183100 Cynthia C. (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Los Angeles County Department of Children and Family Services, r.p.i.)

The petition is denied.

Kitching, J.

We concur: Klein, P.J.  
Croskey, J.

DIVISION FOUR

B182210 People (Not for Publication)  
v.  
Hollingsworth

The judgment is affirmed.

Epstein, P.J.

We concur: Curry, J.  
Willhite, J.

B175390 Kay (Not for Publication)  
v.  
Gateway Tower, LLC

The judgment is affirmed.

Curry, J.

We concur: Epstein, P.J.  
Willhite, J.

DIVISION FIVE

B173686 People (Not for Publication)  
v.  
Dan Aguilar et al

With respect to defendant Martinez, the 10-year enhancement under section 186.22, subdivision (b)(1)(C) is vacated and a minimum eligible parole date of 15 calendar years, pursuant to section 186.22, subdivision (b)(5), is imposed. In all other respects, the judgment is affirmed.

Kriegler, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

DIVISION EIGHT

B179899 People (Not for Publication)  
v.  
Ayala

The judgment is affirmed.

Rubin, Acting P.J.

We concur: Boland, J.  
Flier, J.